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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
Washington, D.C. 20554

In re Applications of	)	MM Docket No. 92-33
Central Florida Educational Foundation, Inc., et al.	)	File No. BPED-881207MA et al
For Construction Permit for a New Noncommercial FM Station (Union Park, Conway, Oak Hill and Lake Mary, Florida)	)	

ORIGINAL FILE

To: The Honorable Edward J. Kuhlmann
Administrative Law Judge

Petition for Leave to Amend

Mims Community Radio, Inc. ("Mims"), by its attorney, hereby respectfully petitions for leave to amend its application in the above-referenced proceeding. In support thereof, the following is shown:

1. On July 1, 1992 Mims filed a Petition for Leave to Amend seeking to amend its pending FCC Form 340 application in order to remove its mutual-exclusivity with the other four remaining applicants and allow separate grant of Mims' application, notwithstanding resolution of the underlying proceeding. However, after consultation with the FCC's engineering staff, it was determined that there existed prohibited overlap problems with respect to Mims' amendment and two of the remaining applicants in the proceeding.

2. The subject amendment is a major change involving, inter alia, a transmitter site change, a change in the proposed

No. of Copies rec'd 0+6
List A B C D E

community of license and a move to a 2nd adjacent channel. A copy of the amendment is attached hereto as Attachment A.

3. Since the application is a major change, Mims respectfully requests a waiver of Section 73.3571(j)(1) of the Commission's Rules. There is Commission precedent for the relief contemplated herein.[1] Attached hereto as Attachment B is a Letter, FCC 91-207, released by direction of the Commission on July 17, 1991 which addresses a virtually identical situation. First, grant of the waiver would eliminate the need for a comparative hearing involving Mims and would permit the immediate grant of its application, allowing a first noncommercial service to be granted to Samsula, Florida.[2] Second, a waiver would not prejudice competing applicants or cause undue disruption of the

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[1] In fact, the Mass Media Bureau indicated in its "Opposition to Petition for Leave to Amend" that "the 'major change' rule does not bar acceptance of [Mims' major change]....".

[2] Mims has notified the Presiding Judge contemporaneously herewith that Mims does not intend to introduce any evidence at the hearing other than that pertaining to 307(b) (See Paragraph 13, subparagraph 3 of the Hearing Designation Order). As such, the hearing will not be disrupted by any of the actions contemplated herein by Mims.

Commission's administrative processes.[3] In fact, it would streamline and simplify the currently scheduled hearing and in all likelihood facilitate settlement and/or a share-time arrangement. Third, grant of a waiver of Section 73.3571(j)(1) would not cause a loss of right of reasonable notice to any theoretical potential applicant or objector, since the application has already gone through the Commission's cut-off procedure (and any application for the proposed channel would have been mutually-exclusive with the other designated applications).

4. The FAA has been contacted regarding the proposed amendment and has indicated that due to the short height of the proposed tower, FAA concurrence should be forthcoming shortly. In addition, Exhibit E-8 of the subject amendment addresses the issue of RF radiation and demonstrates Mims' compliance with the applicable standards and requirements. Finally, Mims has received reasonable assurance of site availability from the owners of the proposed site, Mr. and Mrs. Roy Hilton.

5. Therefore, good cause exists for acceptance of the

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[3] The Mass Media Bureau contends in its Opposition to Petition for Leave to Amend filed on July 10, 1992 that Mims' amendment does not meet all the criteria for acceptance of post-designation amendments under Erwin O'Connor Broadcasting Co., Inc., 22 FCC 2d 140, 143 (Rev. Bd. 1970) since "[s]pecifically, acceptance of the amendment would require redoing the joint engineering exhibit". Mims respectfully submits that the information contained in the Joint Engineering would still be valid and that acceptance of Mims' amendment would simply require that the information regarding Mims be disregarded. However, in the event that the Mass Media Bureau deems it necessary for the Joint Engineering exhibit to be redone without Mims' information contained therein, Mims would agree to fund such a revision and refile the Joint Exhibit before the close of the hearing record.

subject amendment under the criteria delineated in Erwin O'Connor Broadcasting Co., 22 FCC 2d 140 (Rev. Bd. 1970). While the amendment is voluntary, acceptance thereof shall allow for the ultimate grant of two noncommercial stations as opposed to one (with no prejudice to the other mutually-exclusive applicants or any other potential applicants or objectors). The public interest and Commission precedent both support grant of Mims' amendment.

6. As a final note, it is believed that the concerns raised by WCPX-TV (i.e., Channel 6) have been fully addressed in the subject amendment. With respect to the arguments proffered by Central Florida Educational Foundation, Inc. in its opposition to Mims' July 1, 1992 Petition for Leave to Amend, should the concerns resurface with respect to the subject amendment, Mims shall address them in due course.[4] Again, it is Mims' position that the subject amendment complies with all FCC rules and policies (including those with respect to Channel Six compliance) and that any perceived "disruption" to the comparative hearing process is vastly outweighed by the public interest benefits inherent in (a) removing Mims from the comparative hearing fray and (b) the provision of a new noncommercial service to the area (above and beyond that which will result by virtue of the underlying comparative proceeding).

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[4] Similarly, the Petition to Enlarge Issues filed by Central on July 9, 1992 against Mims is factually incorrect and will be opposed in due course.

Wherefore, based on the foregoing, it is respectfully requested that Mims' Petition be granted and the subject amendment accepted.

Respectfully submitted,

Mims Community Radio, Inc.

By: Stephen C. Simpson
Stephen C. Simpson

Its Attorney

1090 Vermont Avenue, N.W.
Suite 800
Washington, D.C. 20005
(202) 408-7035

Attachment A

Federal Communications Commission
Washington, D. C. 20554

FCC 340

Approved by OMB
3060-0034
Expires 4/30/92
See Page 23 for information regarding public burden estimate

APPLICATION FOR CONSTRUCTION PERMIT FOR NONCOMMERCIAL EDUCATIONAL BROADCAST STATION

(Carefully read instructions before filing form) Return only form to FCC

For Commission Use Only
File No.

Section I - GENERAL INFORMATION

1. Name of Applicant			Send notices and communications to the following person at the address below:		
Mims Community Radio, Inc.			Name: Stephen C. Simpson		
Street Address or P.O. Box: 4955 Internatinal Dr			Street Address or P.O. Box: 1090 Vermont Ave NW		
City: Mims	State: FL	ZIP Code: 32754	City: Washington	State: DC	ZIP Code: 20005
Telephone No. (Include Area Code): 407 269 2590			Telephone No. (Include Area Code): 202 408 7035		

2. This application is for: [ ] AM [X] FM [ ] TV

(a) Channel No. or Frequency	(b) Principal Community	City	State
Ch 204 88.7		Samsula	FL

(c) Check one of the following boxes:

[X] Application for **NEW** station

[ ] **MAJOR** change in licensed facilities; call sign: .....

[ ] **MINOR** change in licensed facilities; call sign: .....

[ ] **MAJOR** modification of construction permit; call sign: .....

File No. of construction permit: .....

[ ] **MINOR** modification of construction permit; call sign: .....

File No. of construction permit: .....

[X] **AMENDMENT** to pending application; application file number: ..... BPED-891127MD MM Docket # 92-33

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application? [ ] Yes [X] No

If Yes, state:	Call letters	Community of License: City	Community of License: State
		---------N/A----------	

Section V-B - FM BROADCAST ENGINEERING DATA	FOR COMMISSION USE ONLY File No. _____ ASB Referral Date _____ Referred by _____

Name of Applicant

Mims Community Radio, Inc.

Call letters *(if issued)*	Is this application being filed in response to a window? ☐ Yes ☒ No
N/A	If Yes, specify closing date: _____

Purpose of Application: *(check appropriate box(es))*

- ☒ Construct a new (main) facility
- ☐ Construct a new auxiliary facility
- ☐ Modify existing construction permit for main facility
- ☐ Modify existing construction permit for auxiliary facility
- ☐ Modify licensed main facility
- ☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- ☒ Antenna supporting-structure height
- ☒ Effective radiated power
- ☒ Antenna height above average terrain
- ☒ Frequency
- ☒ Antenna location
- ☒ Class
- ☐ Main Studio location
- ☒ Other *(Summarize briefly)* proposed community of license

File Number(s) BPED 891127MD MM Docket No. 92-33

1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
204	Samsula	FVolusia	FL

Class *(check only one box below)*

☒ A ☐ B1 ☐ B ☐ C3 ☐ C2 ☐ C1 ☐ C ☐ D

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	29°	01'	53"	Longitude	81°	03'	14"

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both. N/A

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

N/A

SECTION V-B – FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates? ☐ Yes ☒ No
If Yes, list old coordinates.

Latitude	Longitude
° ' " ----------N/A-----	° ' "

5. Has the FAA been notified of the proposed construction? ☒ Yes ☐ No
If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.

Date 6/26/92 Office where filed Atlanta

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

	Landing Area	Distance (km)	Bearing (degrees True)
(a)	Spruce Creek	4.5	18°
(b)			

7. (a) Elevation: *(to the nearest meter)*

(1) of site above mean sea level; 7.6 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 60.6 meters

(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)] 68.2 meters

(b) Height of radiation center: *(to the nearest meter)* H = Horizontal; V = Vertical

(1) above ground -0- meters (H)
45.1 meters (V)

(2) above mean sea level [(a)(1) + (b)(1)] -0- meters (H)
52.7 meters (V)

(3) above average terrain -0- meters (H)
46 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No. E-1

9. Effective Radiated Power:
(a) ERP in the horizontal plane -0- kw (H*) 1.0 kw (V*)

(b) Is beam tilt proposed? ☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No. N/A

----- kw (H*) ----- kw (V*)

*Polarization

SECTION V-B – FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed? ☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of horizontally and vertically polarized radiated components in terms of relative field. Exhibit No. N/A

11. Will the main studio be located within the 70 dBu or 3.16 mV/m contour? ☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125. Exhibit No. N/A

12. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast *(except citizens band or amateur)* radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference? ☐ Yes ☒ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. *(See 47 C.F.R. Sections 73.315(b), 73.316(d) and 73.318.)* Exhibit No. E-2

13. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction D for Section V. Further, the map must clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers. Exhibit No. E-3

14. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers: Exhibit No. E-4

(a) the proposed transmitter location, and the radials along with profile graphs have been prepared;

(b) the 1 mV/m predicted contour and, for noncommercial educational applicants applying on a commercial channel, the 3.16 mV/m contour; and

(c) the legal boundaries of the principal community to be served.

15. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 487 sq. km. Population 40,840

16. Attach as an Exhibit a map *(Sectional Aeronautical charts where obtainable)* showing the present and proposed 1 mV/m (60 dbu) contours. Exhibit No. N/A

Enter the following from Exhibit above:

Gain Area N/A sq. mi.

Loss Area – sq. mi.

Percent change (gain area plus loss area as percentage of present area) – %.

If 50% or more this constitutes a major change. Indicate in question 2(c), Section I, accordingly.

17. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No. N/A

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license. See 47 C.F.R. Section 73.1675. (File No.: _____)

18. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313).*

Source of terrain data: *(check only one box below)*

[X] Linearly interpolated 30-second database [ ] 7.5 minute topographic map

(Source: NGDC)

[ ] Other *(briefly summarize)*

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances to the 1 mV/m contour (kilometers)	(miles)
0	47.8	12.7	7.9
45	50.9	13.1	8.1
90	50.3	13.0	8.1
135	46.6	12.5	7.8
180	46.6	12.5	7.8
225	41.9	11.9	7.4
270	41.5	11.8	7.3
315	42.7	12.0	7.5

Allocation Studies

(See Subpart C of 47 C.F.R. Part 73)

19. Is the proposed antenna location within 320 kilometers (199 miles) of the common border between the United States and Mexico? [ ] Yes [X] No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Agreement between the United States of America and the United Mexican States concerning Frequency Modulation Broadcasting in the 88 to 108 MHz band.

Exhibit No. N/A

20. Is the proposed antenna location within 320 kilometers of the common border between the United States and Canada? ☐ Yes ☒ No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Working Agreement for Allocation of FM Broadcasting Stations on Channels 201-300 under The Canada-United States FM Agreement of 1947. Exhibit No. N/A

21. If the proposed operation is for a channel in the range from channel 201 through 220 (88.1 through 91.9 MHz), or if this proposed operation is for a class D station in the range from Channel 221 through 300 (92.1 through 107.9 MHz), attach as an Exhibit a complete allocation study to establish the lack of prohibited overlap of contours with other U.S. stations. The allocation study should include the following: Exhibit No. E-5

(a) The normally protected interference-free and the interfering contours for the proposed operation along all azimuths.
(b) Complete normally protected interference-free contours of all other proposals and existing stations to which objectionable interference would be caused.
(c) Interfering contours over pertinent arcs of all other proposals and existing stations from which objectionable interference would be received.
(d) Normally protected and interfering contours over pertinent arcs, of all other proposals and existing stations, which require study to show the absence of objectionable interference.
(e) Plot of the transmitter location of each station or proposal requiring investigation, with identifying call letters, file numbers and operating or proposed facilities.
(f) When necessary to show more detail, an additional allocation study will be attached utilizing a map with a larger scale to clearly show interference or absence thereof.
(g) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire Exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
(h) The name of the map(s) used in the Exhibit(s).

22. With regard to any stations separated by 53 or 54 channels (10.6 or 10.8 MHz) attach as an Exhibit information required in 1/ *(separation requirements involving intermediate frequency (i.f.) interference).* Exhibit No. E-5

23.(a) Is the proposed operation on Channel 218, 219, or 220? ☐ Yes ☒ No

(b) If the answer to (a) is yes, does the proposed operation satisfy the requirements of 47 C.F.R. Section 73.207? ☐ Yes ☐ No N/A

(c) If the answer to (b) is yes, attach as an Exhibit information required in 1/ regarding separation requirements with respect to stations on Channels 221, 222 and 223. Exhibit No. N/A

(d) If the answer to (b) is no, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose. Exhibit No. N/A

1/ A showing that the proposed operation meets the minimum distance separation requirements. Include existing stations, proposed stations, and cities which appear in the Table of Allotments; the location and geographic coordinates of each antenna, proposed antenna or reference point, as appropriate; and distance to each from proposed antenna location.

SECTION V-B – FM BROADCAST ENGINEERING DATA (Page 6)

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No. N/A

(1) Protected and interfering contours, in all directions (360°), for the proposed operation.
(2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as transmitter location.
(3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
(4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
(5) The official title(s) of the map(s) used in the exhibits(s).

24. Is the proposed station for a channel in the range from Channel 201 to 220 (88.1 through 91.9 MHz) and the proposed antenna location within the distance to an affected TV Channel 6 station(s) as defined in 47 C.F.R. Section 73.525?

[XX] Yes [ ] No

If Yes, attach as an Exhibit either a TV Channel 6 agreement letter dated and signed by both parties or a map and an engineering statement with calculations demonstrating compliance with 47 C.F.R. Section 73.525 for each affected TV Channel 6 station.

Exhibit No. E-7

25. Is the proposed station for a channel in the range from Channel 221 to 300 (92.1-107.9 MHz)?

[ ] Yes [X] No

If Yes, attach as an Exhibit information required in 1/. *(Except for Class D (secondary) proposals.)*

Exhibit No. N/A

26. Environmental Statement *(See 47 C.F.R. Section 1.1301 et seq.)*

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact?

[ ] Yes [X] No

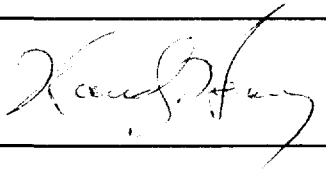
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No. E-8

If No, explain briefly why not. The construction of the facility creates no condition described in Section 1.1311. Exhibit E-8 addresses the subject of human exposure to RF from the proposed facility.

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name *(Typed or Printed)*	Relationship to Applicant *(e.g., Consulting Engineer)*
Randy Henry	Technical Director
Signature 	Address *(Include ZIP Code)* 505 Josephine St Titusville FL 32796
Date July 10, 1992	Telephone No. *(Include Area Code)* (407) 267 3000

SECTION VI – EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees? ☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 396-A).

SECTION VII – CERTIFICATION

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580? ☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. *(See Section 304 of the Communications Act of 1934, as amended.)*

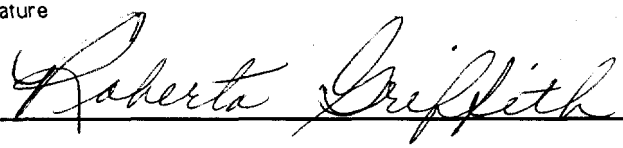
The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant	Title
Mims Community Radio, Inc.	President
Signature 	Date 7/10/92

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 76 to 80 hours with an average of 78 hours 04 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Office of Managing Director, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0034), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

Exhibit E-1

Mims Community Radio, Inc.
Amendment to BPED-891127MD
July 10, 1992

Amended Coordinates::
NL 29-01-53; 81-03-14 (WL)

Steel skeletal guyed tower
Not to be lit (pending FAA ruling)

All figures are meters
Not drawn to scale

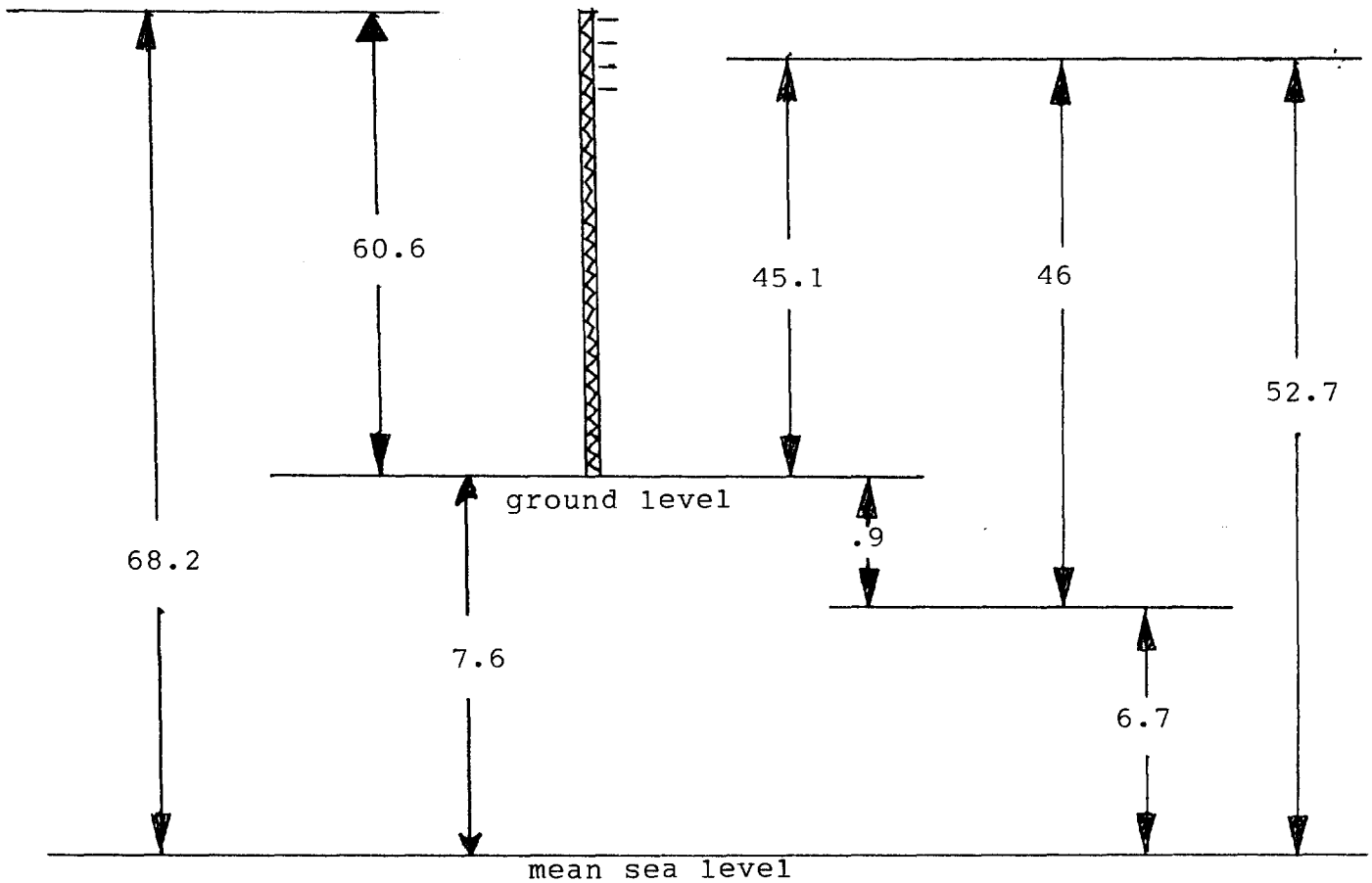


Exhibit E-2

Mims Community Radio, Inc.
Amendment to BPED-891127MD
MM Docket No. 92-33
July 10, 1992

STATEMENT ACCEPTING RESPONSIBILITY

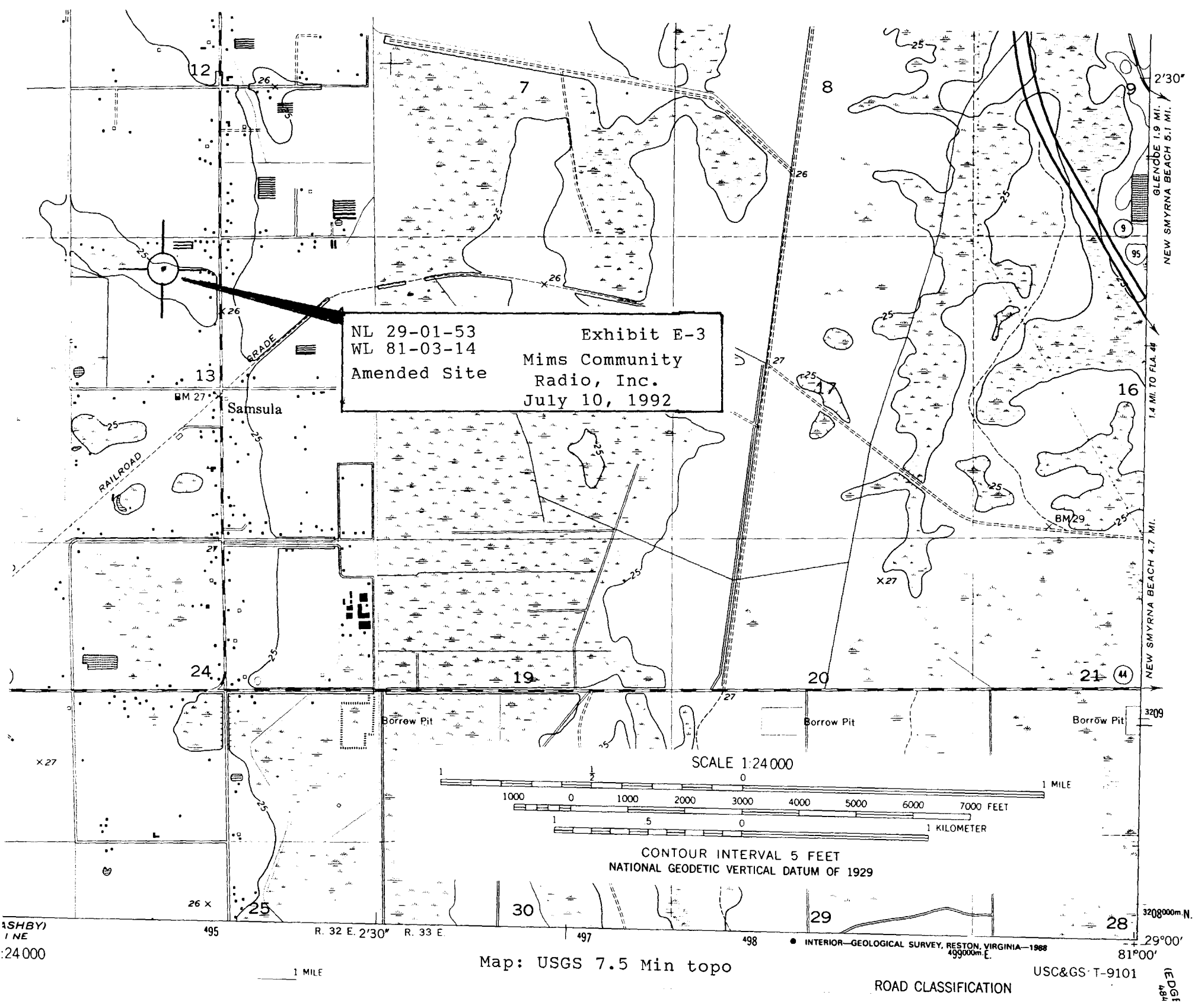
FOR REMOVING INTERFERENCE

An on-site observation of the area around the transmitter site reveals that the area is very lightly populated. The USGS 7.5 minute topographic map in Exhibit E-3 also illustrates the same.

There are no cable head-end facilities, or other radio transmissions of any kind in the area near the transmitter site (1 km), nor are there any AM, FM or TV transmitter sites within 10 km of the site.

There may be, however, interference due to blanketing of FM receivers, or picture interference to TV 6. Either of these conditions will receive immediate attention from the applicant, and as a matter of policy, Mims Community Radio, as a permittee, will keep on hand a supply of FM traps and will install them where needed, at no cost to the complaintant. A newspaper display ad will invite those suspecting interference from the fM station to call toll free, or collect, for immediate attention.

Local electronics retailers will be notified of possible complaints, with instructions to refer them to the permittee.



Map: USGS 7.5 Min topo

USC&GS T-9101

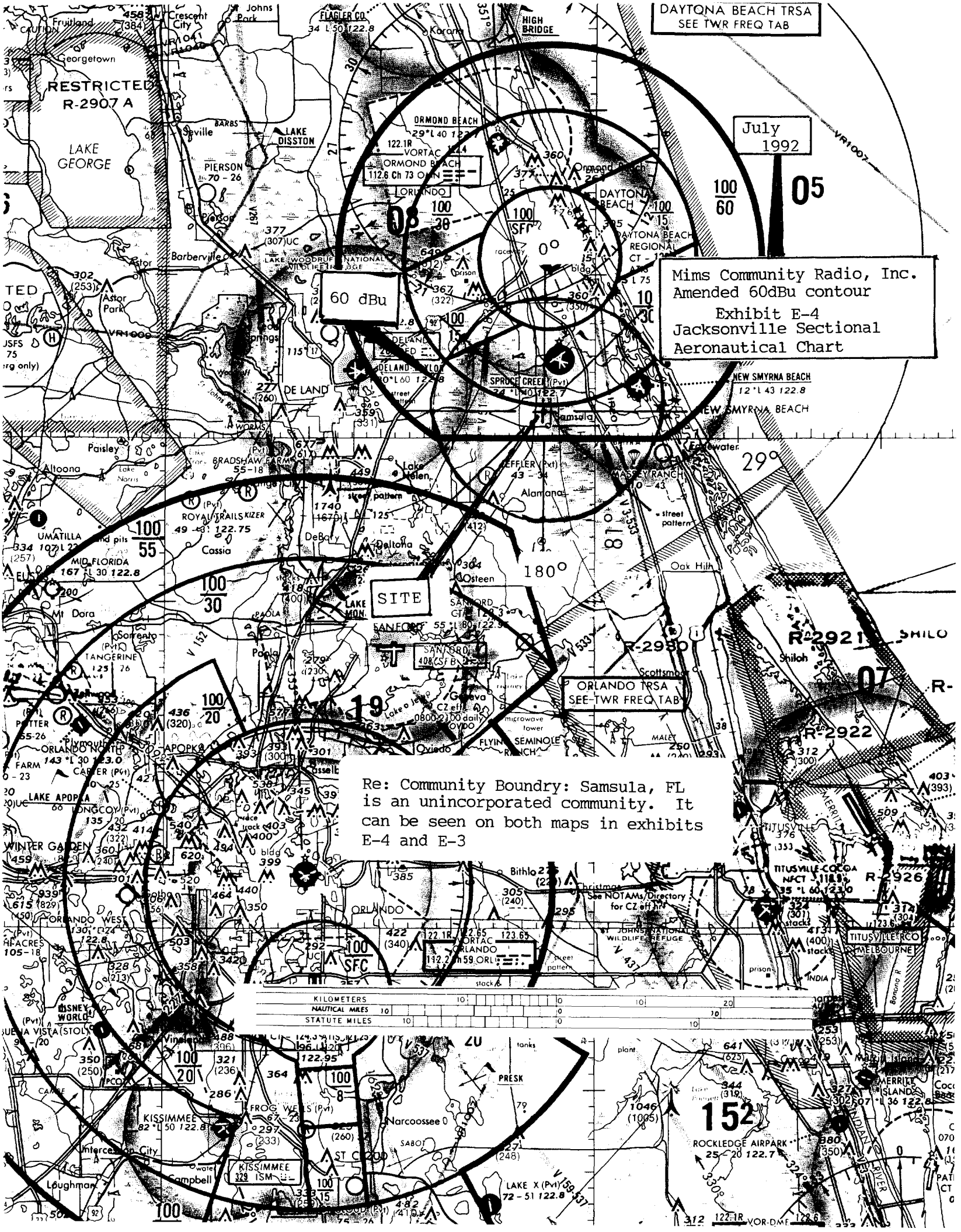

DAYTONA BEACH TRSA
SEE TWR FREQ TAB
July
1992
60 dBu
Mims Community Radio, Inc.
Amended 60dBu contour
Exhibit E-4
Jacksonville Sectional
Aeronautical Chart
SITE
ORLANDO TRSA
SEE TWR FREQ TAB
RESTRICTED
R-2907 A
R-2921
R-2922
R-2926
R-2930
Re: Community Boundry: Samsula, FL
is an unincorporated community. It
can be seen on both maps in exhibits
E-4 and E-3

Exhibit E-5

Mims Community Radio, Inc. MM Docket No. 92-33
July 1992

TABLE OF NEAR FACILITIES

Title: samsula 1kw 150ft — Latitude: 29-01-53
Channel 204A (88.7 MHz) ERP: 1 kW; EAH: 46 m — Longitude: 81-03-14
Database: FCC 05/26/92 — Safety zone: 5 km

Call / City of License	Auth	Licensee name / St	FCC File no.	Chan / Freq	ERP-kW / EAH-m	Latitude / Longitude	Br-to -from	Dist. (km)	Req. (km)
WHIJ	LIC	Marion Community Radio,	*201A	1.25		29-14-17	282.8	106.4	22.81
Ocala		FL		88.1	120	82-07-17	102.2	83.57	CLEAR
Vertical Polarization Only									
Proposed F(50,50) 100 dBu = 1.262 km; WHIJ						F(50,50) 60 dBu = 21.55 km			
Proposed F(50,50) 60 dBu = 12.41 km; WHIJ						F(50,50) 100 dBu = 1.866 km			
NEW	APC	Mims Community Radio, In	*202C1	80		28-44-21	152.9	36.40	44.51
Oak Hill		FL		88.3	61	80-53-01	333.0	-8.11	SHORT
Cut-off 07/25/90; Vertical Polorization Only									
Proposed F(50,50) 80 dBu = 3.992 km; NEW						F(50,50) 60 dBu = 40.52 km			
Proposed F(50,50) 60 dBu = 12.41 km; NEW						F(50,50) 80 dBu = 13.54 km			
NEW	APC	Bible Broadcasting Netwo	*202C2	1.90DA		28-36-08	184.6	47.72	47.40
Conway		FL		88.3	448	81-05-37	4.6	.317	CLOSE
Cut-off 07/25/90; Amended 900822; DA: oddball ODD890412MJ @ 0 deg									
Proposed F(50,50) 80 dBu = 3.992 km; NEW						F(50,50) 60 dBu = 43.41 km			
Proposed F(50,50) 60 dBu = 12.41 km; NEW						F(50,50) 80 dBu = 14.32 km			
NEW	APC	Southwest Florida Commun	*202C2	1.90DA		28-36-08	184.6	47.72	47.30
Conway		FL		88.3	446	81-05-37	4.6	.419	CLOSE
Cut-off 07/25/90; Amended 901003; DA: oddball ODD891127MC @ 0 deg									
Proposed F(50,50) 80 dBu = 3.992 km; NEW						F(50,50) 60 dBu = 43.31 km			
Proposed F(50,50) 60 dBu = 12.41 km; NEW						F(50,50) 80 dBu = 14.29 km			
NEW	APC	Flagler College	*203A	6DA		29-54-27	345.6	100.3	40.37
St. Augustine		FL		88.5	43	81-18-49	165.5	59.95	CLEAR
Cut-off 03/26/92; DA: oddball ODD910318MB @ 0 deg									
Proposed F(50,10) 54 dBu = 18.20 km; NEW						F(50,50) 60 dBu = 19.00 km			
Proposed F(50,50) 60 dBu = 12.41 km; NEW						F(50,10) 54 dBu = 27.96 km			
WJFR	LIC	Family Stations, Inc.	*204C3	8		30-19-43	336.9	156.6	104.8
Jacksonville		FL		88.7	107	81-41-42	156.6	51.77	CLEAR
Proposed F(50,10) 40 dBu = 44.68 km; WJFR						F(50,50) 60 dBu = 31.23 km			
Proposed F(50,50) 60 dBu = 12.41 km; WJFR						F(50,10) 40 dBu = 92.42 km			
WPFL	LIC	Winter Park High School	*205D	.01		28-35-02	207.4	55.89	21.38
Winter Park		FL		88.9		81-19-04	27.3	34.51	CLEAR
Proposed F(50,10) 54 dBu = 18.20 km; WPFL						F(50,50) 60 dBu = 3.179 km			
Proposed F(50,50) 60 dBu = 12.41 km; WPFL						F(50,50) 54 dBu = 4.529 km			
WUFT-FM	LIC	Bd of Regents, State of	*206C1	100		29-42-34	300.5	150.3	70.99
Gainesville		FL		89.1	235	82-23-40	119.8	79.31	CLEAR
Proposed F(50,50) 80 dBu = 3.992 km; WUFT-FM						F(50,50) 60 dBu = 66.99 km			
Proposed F(50,50) 60 dBu = 12.41 km; WUFT-FM						F(50,10) 80 dBu = 29.82 km			

Exhibit E-5

Mims Community Radio, Inc.
July 1992
MM Docket No. 92-33

FM Interference study

Title: samsula 1kw 150ft — Latitude: 29-01-53
Channel 204A (88.7 MHz) ERP: 1 kW; EAH: 46 m — Longitude: 81-03-14

	Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
	City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
	WPIO	APC	Florida Public Radio, In	*207C3	10	28-34-49	158.3	53.81	31.68
	Titusville	FL		89.3	91	80-51-00	338.4	22.13	CLEAR
	Proposed F(50,50) 100 dBu = 1.262 km; WPIO F(50,50) 60 dBu = 30.41 km								
	Proposed F(50,50) 60 dBu = 12.41 km; WPIO F(50,50) 100 dBu = 3.062 km								
	WLRQ-FM CP		Ezy Communications, Inc.	257C2	50	28-16-42	157.6	90.31	15
I.F	Cocoa	FL	BPH-890515IF	99.3	150	80-42-03	337.7	75.31	CLEAR
	From channel 257A per D87-527								
	PRM	ADD	Robert E. Wideman	258A		29-44-57	302.9	148.2	10
I.F.	La Crosse	FL		99.5		82-20-30	122.3	138.2	CLEAR
	Site Restricted 12.1 km Southeast								

Exhibit E-6

Mims Community Radio, Inc.
Samsula, FL
Amendment: July 1992

Exhibit E-6 is to show that the amended proposal of Mims Community Radio, Inc. to Samsula, FL, is mutually exclusive with its original proposal of BPED-891127MD.

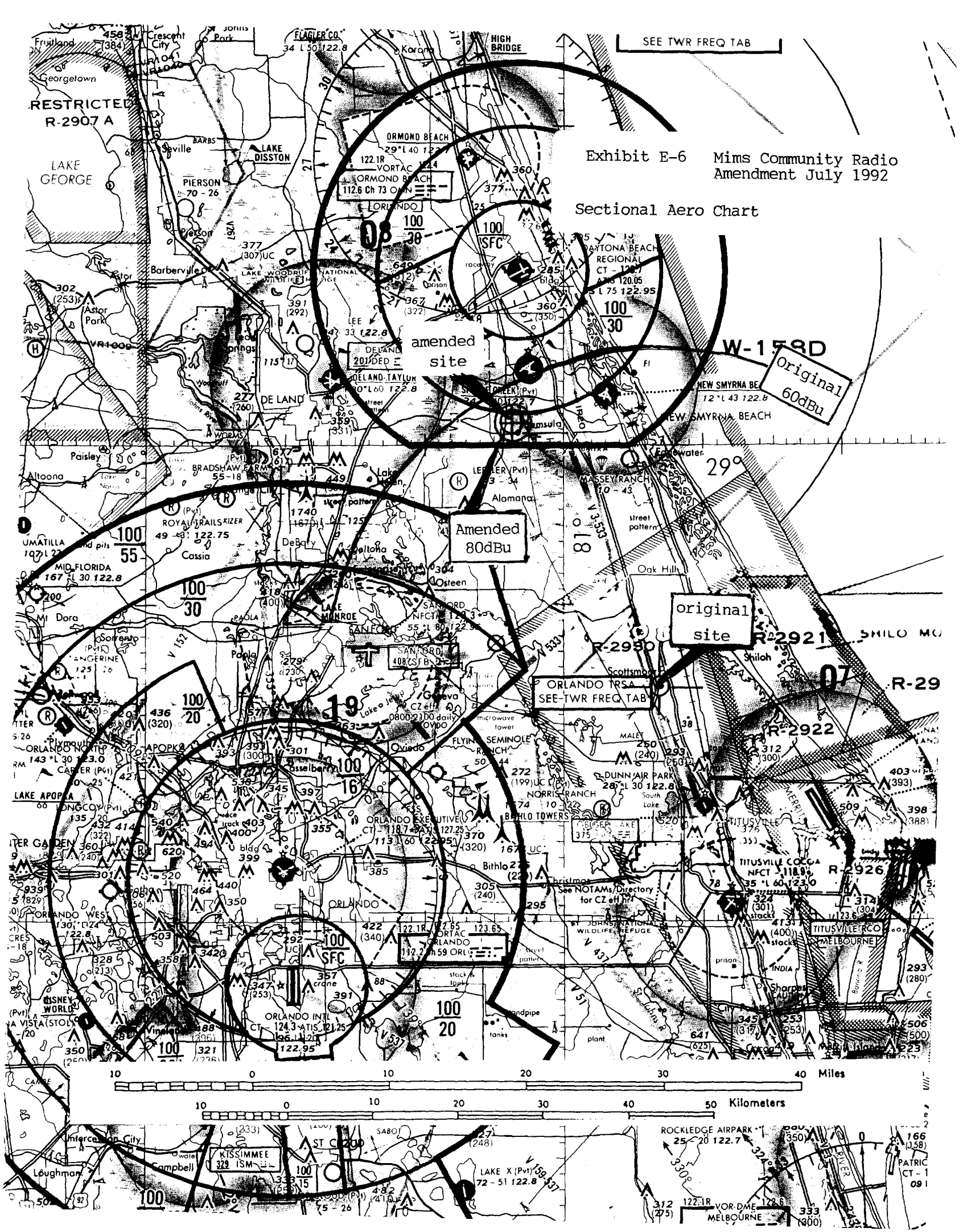


Exhibit E-6 Mims Community Radio
Amendment July 1992
Sectional Aero Chart
SEE TWR FREQ TAB
RESTRICTED
R-2907 A
LAKE GEORGE
amended site
W-159D
Original 60dBu
Amended 80dBu
original site
ORLANDO TRSA
SEE-TWR FREQ TAB
R-2930
R-2921
R-2922
R-2926
R-29
DAYTONA BEACH REGIONAL
ORMOND BEACH
DE LAND
NEW SMYRNA BEACH
ORLANDO INTL
ORLANDO EXECUTIVE
DUNN AIR PARK
TITUSVILLE COCOA
MELBOURNE
KISSIMMEE
ROCKLEDGE AIRPARK
LAKE X (Pvt)
10 0 10 20 30 40 Miles
10 0 10 20 30 40 50 Kilometers

Exhibit E-7

Mims Community Radio, Inc.
Channel 204 A at Samsula FL
Amendment to BPED-891127MD

July 1992

PROTECTION TO WCPX CHANNEL SIX

CFR 73.525 provides that this applicant:

1. show that a horizontally polarized signal bring predicted interference to no more than 3000 persons.

2. Following that showing, if the interference area lies completely outside the city limits of a city of less than 50,000 persons, the power achieved above in "1" may be substitutedwith vertical polarization with up to 40 times the watts.

This amendment demonstrates that 100 watts of horizontally polarized FM radiation brings interference to 756 persons, using the 1990 census data.

The applicant is electing to use vertical polarization only, with 1.0 KW ERP.

The members of WCPX can also be placed at ease in that Mims Community Radio, will as a good neighbor remove all interference to TV Six at its own cost.

Exhibit E-7

Docket No. 92-33

PROTECTION TO WCPX TV SIX
CFR 73.525 July 1992
Channel 204A at Samsula FL

Educational FM/TV Channel 6 Interference area

Interference --- Site --- Lat 29-01-53 Lon 81-03-14		----- WCPX Channel 6 ----- C/R 445 m AAT Latitude: 28-36-08 Longitude: 81-05-37						---- Proposed Ch. 204 ---- C/R 45 m AAT Latitude: 29-01-53 Longitude: 81-03-14				
Bear. (deg)	Dist (km)	Bear. (deg)	Dist (km)	Haat (m)	ERP (kW)	F.S. (dBu)	U/D (dB)	Bear. (deg)	Dist (km)	Haat (m)	ERP (kW)	F.S. (dBu)
.0	3.2	4.3	50.9	448	100	73.6	.0	.0	3.23	47.4	.10	73.6
1.0	3.2	4.4	51.0	448	100	73.6	.0	1.0	3.24	47.5	.10	73.6
2.0	3.2	4.5	51.0	448	100	73.6	.0	2.0	3.24	47.6	.10	73.6
3.0	3.2	4.5	51.0	448	100	73.6	.0	3.0	3.24	47.6	.10	73.6
4.0	3.3	4.6	51.0	448	100	73.6	.0	4.0	3.25	47.7	.10	73.6
5.0	3.3	4.6	51.0	448	100	73.6	.0	5.0	3.25	47.8	.10	73.6
6.0	3.3	4.7	51.0	448	100	73.6	.0	6.0	3.25	47.8	.10	73.6
7.0	3.3	4.8	51.0	448	100	73.6	.0	7.0	3.25	47.9	.10	73.6
8.0	3.3	4.8	51.0	448	100	73.6	.0	8.0	3.26	47.9	.10	73.6
9.0	3.3	4.9	51.0	448	100	73.6	.0	9.0	3.26	48.0	.10	73.6
10.0	3.3	5.0	51.0	448	100	73.6	.0	10.0	3.26	48.1	.10	73.6
11.0	3.3	5.0	51.0	448	100	73.6	.0	11.0	3.26	48.1	.10	73.6
12.0	3.3	5.1	51.0	448	100	73.6	.0	12.0	3.26	48.2	.10	73.6
13.0	3.3	5.2	51.0	448	100	73.6	.0	13.0	3.27	48.3	.10	73.6
14.0	3.3	5.2	51.0	448	100	73.6	.0	14.0	3.27	48.3	.10	73.6
15.0	3.3	5.3	50.9	448	100	73.7	.0	15.0	3.27	48.4	.10	73.6
16.0	3.3	5.3	50.9	448	100	73.7	.0	16.0	3.27	48.5	.10	73.6
17.0	3.3	5.4	50.9	448	100	73.7	.0	17.0	3.27	48.5	.10	73.7
18.0	3.3	5.5	50.9	448	100	73.7	.0	18.0	3.28	48.6	.10	73.6
19.0	3.3	5.5	50.9	448	100	73.7	.0	19.0	3.28	48.7	.10	73.6
20.0	3.3	5.6	50.9	448	100	73.7	.0	20.0	3.28	48.7	.10	73.6
21.0	3.3	5.7	50.9	448	100	73.7	.0	21.0	3.28	48.8	.10	73.7
22.0	3.3	5.7	50.9	448	100	73.7	.0	22.0	3.28	48.9	.10	73.7
23.0	3.3	5.8	50.8	448	100	73.7	.0	23.0	3.28	48.9	.10	73.7
24.0	3.3	5.8	50.8	448	100	73.7	.0	24.0	3.28	49.0	.10	73.7
25.0	3.3	5.9	50.8	448	100	73.7	.0	25.0	3.28	49.0	.10	73.7
26.0	3.3	6.0	50.8	448	100	73.7	.0	26.0	3.29	49.1	.10	73.7
27.0	3.3	6.0	50.8	448	100	73.7	.0	27.0	3.29	49.2	.10	73.7
28.0	3.3	6.1	50.8	448	100	73.7	.0	28.0	3.29	49.2	.10	73.7
29.0	3.3	6.2	50.7	448	100	73.7	.0	29.0	3.29	49.3	.10	73.7
30.0	3.3	6.2	50.7	448	100	73.8	.0	30.0	3.29	49.4	.10	73.7
31.0	3.3	6.3	50.7	448	100	73.8	.0	31.0	3.29	49.4	.10	73.7
32.0	3.3	6.3	50.7	448	100	73.8	.0	32.0	3.29	49.5	.10	73.7
33.0	3.3	6.4	50.6	448	100	73.8	.0	33.0	3.29	49.6	.10	73.8
34.0	3.3	6.4	50.6	448	100	73.8	.0	34.0	3.29	49.6	.10	73.8
35.0	3.3	6.5	50.6	448	100	73.8	.0	35.0	3.29	49.7	.10	73.8
36.0	3.3	6.6	50.6	448	100	73.8	.0	36.0	3.29	49.8	.10	73.8
37.0	3.3	6.6	50.5	448	100	73.8	.0	37.0	3.29	49.8	.10	73.8
38.0	3.3	6.7	50.5	448	100	73.9	.0	38.0	3.29	49.9	.10	73.8
39.0	3.3	6.7	50.5	448	100	73.9	.0	39.0	3.29	50.0	.10	73.8
40.0	3.3	6.8	50.4	448	100	73.9	.0	40.0	3.29	50.0	.10	73.8
41.0	3.3	6.8	50.4	448	100	73.9	.0	41.0	3.29	50.1	.10	73.9
42.0	3.3	6.9	50.4	448	100	73.9	.0	42.0	3.29	50.1	.10	73.9
43.0	3.3	6.9	50.3	448	100	73.9	.0	43.0	3.28	50.2	.10	73.9
44.0	3.3	7.0	50.3	448	100	73.9	.0	44.0	3.28	50.3	.10	73.9

Exhibit E-7 PROTECTION TO WCPX TV SIX
CFR 73.525 July 1992
Docket No. 92-33 Channel 204A at Samsula FL

Educational FM/TV Channel 6 Interference area

Interference --- Site ---		----- WCPX Channel 6 ----- C/R 445 m AAT Latitude: 28-36-08 Longitude: 81-05-37						---- Proposed Ch. 204 ---- C/R 45 m AAT Latitude: 29-01-53 Longitude: 81-03-14				
Lat 29-01-53												
Lon 81-03-14												
Bear. (deg)	Dist (km)	Bear. (deg)	Dist (km)	Haat (m)	ERP (kW)	F.S. (dBu)	U/D (dB)	Bear. (deg)	Dist (km)	Haat (m)	ERP (kW)	F.S. (dBu)
45.0	3.3	7.0	50.3	448	100	74.0	.0	45.0	3.28	50.3	.10	74.0
46.0	3.3	7.1	50.2	448	100	74.0	.0	46.0	3.28	50.3	.10	74.0
47.0	3.3	7.1	50.2	448	100	74.0	.0	47.0	3.28	50.3	.10	74.0
48.0	3.3	7.2	50.2	448	100	74.0	.0	48.0	3.27	50.3	.10	74.0
49.0	3.3	7.2	50.1	448	100	74.0	.0	49.0	3.27	50.3	.10	74.0
50.0	3.3	7.3	50.1	448	100	74.1	.0	50.0	3.26	50.3	.10	74.0
51.0	3.3	7.3	50.0	448	100	74.1	.0	51.0	3.26	50.3	.10	74.0
52.0	3.3	7.4	50.0	448	100	74.1	.0	52.0	3.25	50.2	.10	74.1
53.0	3.3	7.4	49.9	448	100	74.1	.0	53.0	3.25	50.2	.10	74.1
54.0	3.2	7.4	49.9	448	100	74.1	.0	54.0	3.24	50.2	.10	74.1
55.0	3.2	7.5	49.9	448	100	74.2	.0	55.0	3.24	50.2	.10	74.1
56.0	3.2	7.5	49.8	448	100	74.2	.0	56.0	3.24	50.2	.10	74.1
57.0	3.2	7.6	49.8	448	100	74.2	.0	57.0	3.23	50.2	.10	74.2
58.0	3.2	7.6	49.7	448	100	74.2	.0	58.0	3.23	50.2	.10	74.2
59.0	3.2	7.6	49.7	448	100	74.2	.0	59.0	3.22	50.2	.10	74.2
60.0	3.2	7.7	49.6	448	100	74.3	.0	60.0	3.22	50.1	.10	74.2
61.0	3.2	7.7	49.6	448	100	74.3	.0	61.0	3.21	50.1	.10	74.3
62.0	3.2	7.7	49.5	448	100	74.3	.0	62.0	3.21	50.1	.10	74.3
63.0	3.2	7.8	49.5	448	100	74.3	.0	63.0	3.20	50.1	.10	74.3
64.0	3.2	7.8	49.4	448	100	74.3	.0	64.0	3.20	50.1	.10	74.3
65.0	3.2	7.8	49.4	448	100	74.4	.0	65.0	3.19	50.1	.10	74.4
66.0	3.2	7.9	49.3	448	100	74.4	.0	66.0	3.19	50.1	.10	74.4
67.0	3.2	7.9	49.3	448	100	74.4	.0	67.0	3.18	50.1	.10	74.4
68.0	3.2	7.9	49.2	448	100	74.4	.0	68.0	3.18	50.0	.10	74.4
69.0	3.2	8.0	49.2	448	100	74.5	.0	69.0	3.17	50.0	.10	74.5
70.0	3.2	8.0	49.1	448	100	74.5	.0	70.0	3.17	50.0	.10	74.5
71.0	3.2	8.0	49.1	448	100	74.5	.0	71.0	3.16	50	.10	74.5
72.0	3.2	8.0	49.0	448	100	74.5	.0	72.0	3.16	50.0	.10	74.5
73.0	3.2	8.0	49.0	448	100	74.6	.0	73.0	3.15	50.0	.10	74.6
74.0	3.2	8.1	48.9	448	100	74.6	.0	74.0	3.15	50.0	.10	74.6
75.0	3.1	8.1	48.9	448	100	74.6	.0	75.0	3.14	50.0	.10	74.6
76.0	3.1	8.1	48.8	448	100	74.6	.0	76.0	3.14	49.9	.10	74.6
77.0	3.1	8.1	48.8	448	100	74.7	.0	77.0	3.13	49.9	.10	74.7
78.0	3.1	8.2	48.7	448	100	74.7	.0	78.0	3.13	49.9	.10	74.6
79.0	3.1	8.2	48.7	448	100	74.7	.0	79.0	3.13	49.9	.10	74.7
80.0	3.1	8.2	48.6	448	100	74.7	.0	80.0	3.13	49.9	.10	74.7
81.0	3.1	8.2	48.6	448	100	74.8	.0	81.0	3.12	49.9	.10	74.8
82.0	3.1	8.2	48.5	448	100	74.8	.0	82.0	3.12	49.9	.10	74.7
83.0	3.1	8.2	48.5	448	100	74.8	.0	83.0	3.12	49.9	.10	74.7
84.0	3.1	8.2	48.4	448	100	74.8	.0	84.0	3.11	49.8	.10	74.8
85.0	3.1	8.2	48.3	448	100	74.9	.0	85.0	3.10	49.8	.10	74.9
86.0	3.1	8.2	48.3	448	100	74.9	.0	86.0	3.10	49.8	.10	74.9
87.0	3.1	8.3	48.2	448	100	74.9	.0	87.0	3.10	49.8	.10	74.8
88.0	3.1	8.3	48.2	448	100	74.9	.0	88.0	3.09	49.8	.10	74.9
89.0	3.1	8.3	48.1	448	100	75.0	.0	89.0	3.09	49.8	.10	74.9